

RESPONSE

This paper is presented in response to the Examiner's Office Action mailed June 18, 2003. Claim 1 is amended as required by the Examiner. Claims 1, 2, and 4 through 8 remain pending.

Reconsideration of this application is respectfully requested in view of the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

I. Election of Species & Traverse

Applicant acknowledges the withdrawal of claims 11 through 13 by the Examiner as being directed to a non-elected invention but, for at least the reasons outlined below, believes that such restriction is improper.

Applicant respectfully submits that the restriction requirement made by the Examiner is improper because claims 11 through 13 read on Species I (Figures 1-3e) and not, as the Examiner has asserted, on Species II (Figures 4-6). In particular, the "digital device having an interface with a specified orientation" recited in claim 1 (emphasis added) does not read on a USB, as the Examiner suggests but, instead, reads on digital devices such as are exemplified by the computer 10 indicated in Figure 1. In this regard, Applicant submits that it is well known that Uniform Serial Bus ("USB") refers to a particular type of interface, rather than to a "digital device" such as is recited in claim 11. Moreover, it is clear that no computer or other digital device is illustrated in Figures 4 through 6.

In addition to the aforementioned digital device illustrated in Figure 1, claim 11 also recites a “peripheral device” 30 (Figure 1), a “connector” 24 (Figure 1), and an “orienting coupling interface” 26 (Figure 1).

For at least the foregoing reasons, Applicant respectfully submits that the restriction made by the Examiner concerning claims 11 through 13 is improper and Applicant, accordingly, traverses such restriction.

II. Objection to Claim 1

The Examiner has objected to claim 1 stating that in claim 1, “a Universal’ should change to -- an Universal --. Appropriate correction is required.” Applicant respectfully submits that in light of the amendment to claim 1 herein, the objection of the Examiner has been overcome and should be withdrawn.

III. Claim Rejections Under 35 U.S.C. § 103(b)

Applicant respectfully notes at the outset that in order to establish a *prima facie* case of obviousness, it is the burden of the Examiner to demonstrate that three criteria are met: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; second, there must be a reasonable expectation of success; and third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143.

With reference now to the specific claim rejections, the Examiner has rejected claims 1, 2, and 4 through 8 under 35 U.S.C. § 103 as being unpatentable over U.S. 5,880,721 issued to Yen

("Yen"), in view of U.S. 6,554,621 issued to *Margalit et al.* ("*Margalit*") and U.S. 4,932,902 issued to Crane, Jr. ("*Crane*"). Applicant respectfully disagrees with the contentions of the Examiner and submits that, for at least the reasons outlined below, the Examiner has failed to establish a *prima facie* case of obviousness with respect to the rejected claims.

A. Alleged Obviousness of Claim 1

The Examiner has rejected claim 1 based upon an allegedly obvious combination of the teachings of *Yen*, *Margalit* and *Crane*. In posing that rejection, the Examiner has stated that *Yen* discloses, among other things, "the peripheral interface (10) being fixably coupled and electrically connected to the plug (19 or 21)" (emphasis added).

However, examination of *Yen* clearly reveals that, contrary to the assertion of the Examiner, neither of the elements 19 and 21 disclosed in *Yen* (see, e.g., Figure 4) comprises such a "plug." Rather, *Yen* teaches that element 19 is an infrared ray transmitter (table at col. 1, line 66), while element 21 comprises a CCD monitor (table at col. 2, line 4). Applicant respectfully submits that a "plug," such as the Examiner has asserted is disclosed by *Yen*, is materially different from what *Yen* actually teaches, that is, an infrared ray transmitter and CCD monitor.

As the foregoing thus makes clear, the rejection of claim 1 posed by the Examiner cannot be maintained because that rejection is based upon a material misunderstanding of the teachings of *Yen*. Applicant thus submits that the Examiner has failed to establish a *prima facie* case of obviousness with respect to claim 1 and, accordingly, the rejection of claim 1 has been overcome and should be withdrawn.

B. Alleged Obviousness of Claim 2

As the rejection of claim 2, similar to the rejection of claim 1, is based upon, among other things, the assertion of the Examiner that *Yen* discloses a "plug" whose modification with the

Adaptor A of *Margalit* would have been obvious, the discussion of claim 1 above is equally germane with respect to claim 2 and the attention of the Examiner is respectfully directed to such discussion.

C. Alleged Obviousness of Claim 4

In the rejection of claim 4, the Examiner asserts that “Yen discloses the peripheral interface (10) has an extraction force (from coupling force) in excess(larger than) of the extraction force (pulling force) (for remaining the connection between the peripheral and the plug) associated with the plug (19 or 21) so that the plug (19 or 21) stays attached to the peripheral interface (10) when the plug (19 or 21) is extracted from a receptacle (on body 11).” As noted above in connection with the discussion of claim 1 however, *Yen* discloses no such “plug.” Moreover, the Examiner has not cited any portion of *Yen* that would provide even colorable support for the aforementioned assertions as to the various extraction forces alleged to be associated with the *Yen* system and devices. Applicant respectfully submits that such unsupported assertions, without more, cannot form a valid basis for a rejection.

For at least the foregoing reasons, Applicant respectfully submits that the rejection of claim 4 has been overcome and should be withdrawn.

D. Alleged Obviousness of Claims 5 and 6

As in the case of the rejection of claim 4, the Examiner has not cited any portion of *Yen* in support of the assertion that “it would have been obvious to one having ordinary skill at the time the invention was made to provide the amount of force on the peripheral interface of Yen to be suitable larger enough with the force applied by the user.” Such an unsupported assertion, without more, cannot form a valid basis for a rejection. For at least this reason, Applicant respectfully submits that the rejection of claims 5 and 6 has been overcome and should be withdrawn.

E. Alleged Obviousness of Claims 7 and 8

In posing the rejection of claims 7 and 8, the Examiner states that “Yen discloses (figure 4) the adaptor (36) wherein the peripheral (10) is configurable as a wireless device enabling short-range wireless communication (Column 1, line 1), further comprising and antenna (7, 9) oriented in an upward direction.” However, Applicant is unclear as to the nature and basis of the rejection apparently being posed by the Examiner. In particular, while the above-recited assertion makes reference to an “adaptor (36),” the Examiner has conceded, in the rejection of claim 1, that “Yen . . . lacks an adaptor that enables re-orientation of a peripheral adaptor” (emphasis added). Moreover, there is no element in Figure 4 of *Yen* that is designated as “36,” nor does the *Yen* specification disclose an “adaptor (36),” or any other element designated “36.”

In view of the foregoing, Applicant respectfully submits that the Examiner has failed to establish a prima facie case of obviousness with respect to claims 7 and 8 and the rejection of those claims should, accordingly, be withdrawn.

CONCLUSION

In view of the discussion and amendments submitted herein, Applicant respectfully submits that each of the pending claims 1, 2, and 4 through 8 are in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 18th day of ~~July~~^{September}, 2003.

Respectfully submitted,



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